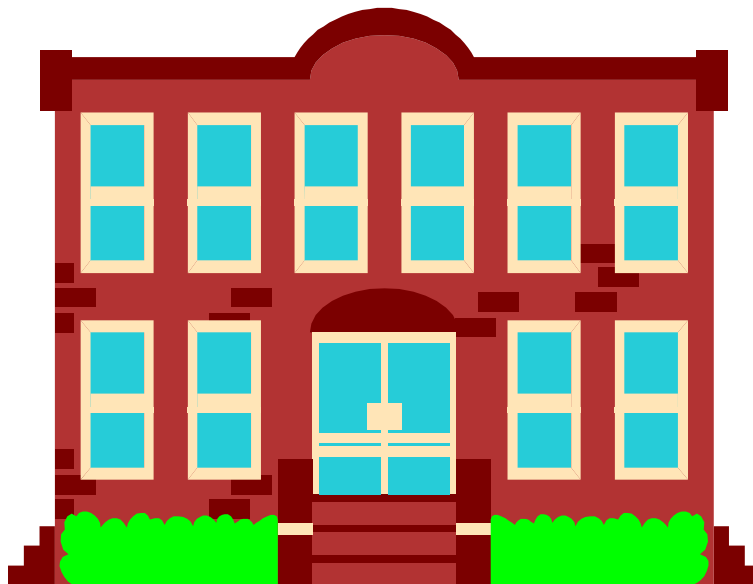


**ANNUAL REPORT OF THE
STATE ADVISORY COMMITTEE
ON THE EDUCATION OF
STUDENTS WITH DISABILITIES
FY 2002-2003**



REPORT OF THE STATE ADVISORY COMMITTEE ON THE EDUCATION OF STUDENTS WITH DISABILITIES

Legislative Mandate

Pursuant to RSA 186-C:3-b, the purpose of this report is to inform the Commissioner of Education, Governor and General Court on issues related to the education of children with disabilities in New Hampshire.

The State Advisory Committee's responsibilities include the following.

Advise the New Hampshire Department of Education regarding unmet needs within the state related to the education of children/students with disabilities.

Provide an annual report to the Governor and the State Legislature on the status of education of children with disabilities in New Hampshire.

Comment publicly on the state plan and rules and regulations proposed for issuance by the state regarding the education of children with disabilities.

Assist the state in developing and reporting such information and evaluations as may assist the U.S. Secretary of Education in the performance of responsibilities under Section 618 of the Individuals with Disabilities Act.

Advise the Department of Education in developing corrective action plans to address findings identified in federal monitoring reports.

Advise the Department of Education in developing and implementing policies relating to the coordination of services for children/students with disabilities.

Advise the Department of Education on the education of eligible children with disabilities who have been convicted as adults and incarcerated in adult prisons.

Membership and Composition

Openings on the SAC occur each year, as members resign, move, or do not attend meetings. Individuals interested in being nominated for membership on the State Advisory Committee should contact the N.H. Department of Education or the Chairperson of the State Advisory Committee. Members must fit into one of the categories for membership; if they do not, or if there are no current vacancies in the appropriate category, individuals may wish to work with the subcommittees as an ad hoc member.

The committee is composed of representatives from the following groups/organizations/agencies:

two members of the House Education Committee;

two members of the Senate Education Committee;

one state education official;

one local education official;

one special education teacher;

one representative of a vocational, community or business organization concerned with the provision of transition services to children/students with disabilities;

one representative of the Department of Health and Human Services;

one representative of the Disabilities Rights Center;

one representative of the Parent Information Center;

two individuals with disabilities who have benefited from special education services, one of whom may be a high school student;

one administrator of a public special education program;

one representative of an institution of higher education that prepares special education and related services personnel;

one representative of a private school approved for special education;

one representative of a public charter school (N.H. has no charter school yet);

one representative of the Division for Juvenile Justice;

one representative of the Department of Corrections;

parents of children/students with disabilities.

A simple majority of the members of the committee shall be individuals with disabilities or parents of children/students with disabilities. Members serve a term of three years, and may succeed themselves. A list of members who served during the 2002-2003 period may be found at the end of this report. A Chairperson is selected by a majority of the membership. Judith Raskin currently serves as the Chairperson and Michael Maroni serves as Vice-chairperson.

Meetings

The committee held regular meetings in September, October, November, December of 2002, January, February (meeting was changed due to snow), March, April, May and June 2003 at the New Hampshire Department of Education to share information, discuss concerns, gather

information on emerging topics, review committee reports, and make recommendations for further action. Such action may take several forms: further study and research; discussion; requests for additional data from the New Hampshire Department of Education or other state departments, agencies, and organizations; written communications to the State Board of Education or Commissioner of Education; and public comment on issues of concern to the committee. Notice of State Advisory Committee meetings are published in the Concord Monitor and Manchester Union Leader. Meetings are open to the public. Minutes, including written notes and audio recordings, are prepared after each meeting. Minutes are distributed via electronic mail prior to meetings, and are available at the meeting.

Organization

The annual retreat begins the year, and sets the agenda for the State Advisory Committee for the coming year. The State Advisory Committee utilizes subcommittees to study, report, and make recommendations to the full SAC on specific issues identified by the committee. The bulk of the State Advisory Committee's work is done through this subcommittee structure. Committees report on their work at regularly scheduled meetings, and seek action from the entire State Advisory Committee, when appropriate. During the annual retreat, committee members identify and choose those issues which are of primary concern to the State Advisory Committee, and establish subcommittees to study these issues. Committee members self-select the subcommittee(s) they wish to serve on based on their interests, expertise, and concerns. The New Hampshire Department of Education provides staff to clarify the department's procedures; explain programs and/or initiatives; provide technical assistance, administrative support, statistical data, and other background information. Individuals from other agencies who have expertise in a particular field may also be asked to inform the subcommittee, or to serve as an ad hoc member of a subcommittee.

Actions and Issues

During the period of September 2002 through June 2003, the State Advisory Committee held its annual planning retreat in Concord, NH. The committee reviewed the major accomplishments of the previous year (2001-2002), which included:

- the N.H. Department of Education's complaint process was changed, based on input from a number of sources, including the Dispute Resolution Subcommittee;

- provided information on the changes to the New Hampshire Rules on the Education of Children/ Students with Disabilities;

- involvement in the Continuous Improvement Monitoring Process (CIMP);

- co-sponsored a series of Parent Forums with the N.H. Department of Education;

- developed a response to the President's Commission on Special Education's report, " A New Era: Revitalizing Special Education for Children and Their Families";

increased SAC members' understanding of how special education is funded and how money is distributed to school districts;

identified issues and state-funded initiatives related to secondary transition for students with disabilities;

identified issues related to students who are home-schooled, and identified a gap in information data about these students, especially those with disabilities;

added new members and increased diversity on the State Advisory Committee;

brought the issue of discipline of students with disabilities to the attention of state officials;

obtained more statistical information to guide SAC's deliberations;

gained a better understanding of each member's perspectives;

increased collaboration with the Special Education Bureau.

The State Advisory Committee recognized the efforts of Mary Ford, Director of the Special Education Bureau, for her efforts to include the State Advisory Committee in activities of the Bureau.

Needs Identified During the Retreat

During the September retreat, SAC members identified the following issues and unmet needs:

There is a shortage of trained, qualified education personnel.

There are geographic discrepancies in meeting the needs of all students with disabilities.

There is a general lack of information about home-schooled students.

There is a need for more information regarding alternative school programs that are being created within local school districts to circumvent state and federal requirements for students with disabilities who are acting out, which may deprive them of a free appropriate public education.

The data from the current SPEDIS system is inaccurate or misleading, and this system needs to be changed.

In order to be considered appropriate placements for students with disabilities, out-of-district placements must have adequate resources, and should not be a student's placement for their entire school experience, until they graduate or age out.

There is a need to better define post-school outcomes.

The quality of instruction and resources for low-incidence populations is inadequate.

Schools need real performance indicators of progress for students.

There needs to be a balance between test scores and real progress for students with disabilities.

Programs are not in full compliance with state and federal laws and regulations.

Funding for special education is not adequate.

Transition plans for students with disabilities are often of poor quality, and schools need to do a better job of developing more useful and accurate transition plans.

There needs to be better interagency collaboration and resource (funding) sharing.

SAC needs to do a better job of informing people about the work we have done.

The State Advisory Committee found that currently, the most vulnerable children are children who are not in the least restrictive environment, including those who are home schooled, students who are suspended and/or expelled, students who have IEPs which are out of compliance, children with disabilities who have not yet been identified, and students who drop out of school.

The House and Senate leadership make the appointment of two representatives and two senators to the SAC. Attendance of these individuals has been a problem each year. We believe that members should be appointed who will make attendance at SAC meetings a priority. We believe that both SAC and the N.H. Legislature would benefit from greater knowledge of SAC activities.

The State Advisory Committee made the following recommendations to guide their work during 2002-2003:

better utilize DOE staff for information;

better understand the positions of candidates on school funding issues, special education funding, and public education;

invite other groups to participate as ad hoc members of the State Advisory Committee or its subcommittees;

find ways to get more involvement of the appointed state Representatives and Senators;

better inform state legislators about the work of the State Advisory Committee, so that the legislature can better use SAC's expertise;

require State Advisory Committee members to make attendance/participation a priority;

replace members who do not participate in SAC meetings;

publicize the work of the State Advisory Committee.

Actions of the State Advisory Committee During 2002-2003

Based on the priorities established at the SAC Retreat, standing committees were established to gather information, define the problem, identify issues, and make recommendations to the full committee. During the period covered by this report, subcommittees operated for the following purposes.

The Dispute Resolution Subcommittee may assist the New Hampshire Department of Education in evaluating dispute resolution options, and may recommend training which may be required for hearing officers, neutrals, mediators, complaint investigators, or others involved in this process. Members of this subcommittee included Michael Maroni, Chair, Richard Cohen, Judith Raskin and Cynthia Holden-Plummer.

The Secondary Transition Subcommittee may assist the New Hampshire Department of Education in determining the issues impacting students with disabilities who are transitioning from high school. Members of this subcommittee included Albert Ouellette, Chair, Chris Collier, Meagan Dunham, Gaye Fedorchak, William Finn, Amy Clason-Gilmet, Diane McCann, Bill McGonagle, and Ted Prizio.

The Public Policy Subcommittee may assist the New Hampshire Department of Education in increasing the knowledge of elected officials and the general public regarding special education issues, needs and funding. Members of this subcommittee included Ann Logan, Chair, Jo Ellen Divol, Judith Raskin, Robert Wells, Robert Andrews, and ad hoc members Ralph Tilton and Carol Kosnitsky.

The Least Restrictive Environment Subcommittee may assist the New Hampshire Department of Education in identifying barriers to children with disabilities being included in the least restrictive environment, including those students who are being home-schooled. Members of this subcommittee included Bonnie Dunham, Chair, Chris Collier, Meagan Dunham, Ted Prizio, and Mary Trinkley.

An ad hoc IDEA Reauthorization Subcommittee was established to assist the New Hampshire Department of Education in responding to proposed changes to the Individuals with Disabilities Education Act. Members of this subcommittee included Bonnie Dunham, Chair, Judith Raskin, and Mary Trinkley.

Based on the needs, issues, recommendations and priorities identified by the State Advisory Committee, information was sought from the N.H. Department of Education and other sources to inform their work. Presentations were made by the following individuals at SAC meetings during the period covered by this report:

Sarah Browning on legislative initiatives;
Terry Brune on complaint investigations;
Richard Cohen on dispute resolution;
JoEllen Divoll on the use of physical restraints;
Bonnie Dunham on the "Improving Education Results for Children with Disabilities Act of 2003";
William Finn on the reauthorization of the Vocational Rehabilitation Act;
Mary Ford on the Parent/Student Forums, National Center of Special Education Accountability, Positive Behavioral Interventions & Supports (PBIS), State Summit, Dispute Resolution Forums;
Debra Grabill on the QUILT Project;
Judith Raskin on the alignment of the Individuals with Disabilities Education Act (IDEA) with No Child Left Behind (NCLB); and
Robert Wells on the Drop Out Prevention Grant.

Collaborative Activities

The State Advisory Committee and the Bureau of Special Education collaborated on the following public meetings.

Parent/Student Forums on:

Secondary Transition, Berlin, NH;
Diversity in Special Education, Manchester, NH;
IEPs: What's Working, What's Not? in Lebanon, NH; and
Achieving Excellence in Education for Students with Disabilities in Durham, NH.

A report outlining the results from these forums may be obtained from the N.H. Department of Education.

Public Forums on the Reauthorization of IDEA in Concord and Portsmouth, NH. Annie White and Denzel McGuire, aides to Senator Judd Gregg, were present at these forums, and took extensive notes to bring back to Senator Gregg for use in the Senate hearings on the IDEA reauthorization. The SAC IDEA Reauthorization Subcommittee presented Ms. White with the SAC comments on the reauthorization. At the invitation of Senator Gregg, Bonnie Dunham and Mary Ford met with Senator Gregg's staffer, Annie White, in DC to discuss the reauthorization.

Public Forums on Dispute Resolution were held in Littleton, Plymouth and Manchester. A report was prepared by Attorney Michael Opuda from the Northeast Regional Resource Center (NERRC) which was used by the Dispute Resolution Subcommittee. A copy of the report may be obtained at from the N.H. Department of Education.

SAC participated in the Work Group on Assessing Parent Involvement & Parent Satisfaction. This meeting in Concord provided the National Center for Special Education Accountability with input regarding the development of a parent survey which will be piloted in NH, MN and MS.

The State Advisory Committee was designated to serve on the Continuous Improvement & Monitoring Process (CIMP) Steering Committee. A meeting of all the CIMP partners and advisors was held in October and provided participants with an update on CIMP progress. Most recently CIMP has moved into the next phase, and will be known as the Continuous Improvement & Focused Monitoring System (CIFMS).

The State Advisory Committee was designated to be the advisory panel for the New Hampshire State Improvement Grant in Special Education: Promoting Equity and Excellence for All Children and Youth with Disabilities.

The N.H. Department of Education supported attendance at the following meetings by SAC representatives, which served to further inform the work of the committee, and share information with State Advisory Committee members from across the country:

Office of Special Education Programs annual Leadership Conference in Washington, DC;

Positive Behavioral Supports & Interventions Training in Chicago, IL.

Office of Special Education Programs Summer Institute in Baltimore, MD.

SAC members were invited to attend a meeting on Charter Schools at the DOE in Concord, NH.

SAC members attended the CIMP Steering Committee Annual Meeting in Whitefield, NH.

State Advisory Committee Documents

Several documents were prepared by the State Advisory Committee: SAC Response to "A New Era: Revitalizing Special Education for Children and Their Families"; Summary of the SAC response to the SB 1248, the Reauthorization of IDEA; and the SAC response to the Special Education Administrator's White Paper.

In process, but not finalized yet, is a fact sheet on special education funding.

Copies of these SAC documents may be obtained from the New Hampshire Department of Education.

Commendations

The State Advisory Committee would like to recognize and thank Mary Ford, Director of the Bureau of Special Education Programs, Annie White, Denzel McGuire, and Senator Judd Gregg for their extraordinary willingness to work with the SAC and their commitment to providing quality educational services to students with disabilities in New Hampshire.

Recommendations

All members appointed to the State Advisory Committee must make attendance and participation on subcommittees a priority, or be replaced.

We urge the House and Senate leaders to appoint representatives who will be able to attend SAC meetings.

The Department of Education, Governor, Legislature and state agencies need to utilize the knowledge and expertise of the State Advisory Committee regarding the education of students with disabilities.

The N.H. Department of Education should utilize their website more effectively to share information with stakeholders in N.H. The SAC would welcome the opportunity to add a State Advisory Committee section to the Bureau of Special Education's page.

The N.H. Department of Education and the State Advisory Committee should continue hosting the Parent/Student Forums in various locations around the state.

The Director of the Special Education Bureau should be a member of the Education Cabinet.

Adequate funding must be provided to school districts to meet the costs of educating students with disabilities, and to the Bureau of Special Education to continue their initiatives and provide leadership to the field.

When the new IDEA legislation and regulations are finalized, this will require changes to the New Hampshire Rules on the Education of Children/Students with Disabilities. We encourage the N.H. Department of Education to work closely with the State Advisory Committee in drafting these new rules and seeking input from the stakeholders.

2002-2003 Members

Robert Andrews
Notre Dame College
Manchester, NH

Rep. Sharon Carson
Londonderry

Richard Cohen
Disability Rights Center
Concord, NH

Amy Clason-Gilmet
Con-Val High School
Peterborough, NH

Chris Collier
Plymouth, NH

JoEllen Divol
SAU 18
Franklin, NH

Bonnie Dunham
Merrimack, NH

Meagan Dunham
Merrimack, NH

Gaye Fedorchak
Adult Education Center - NHSP
Concord, NH

William Finn
Division of Vocational Rehabilitation
Concord, NH

Donna Grimes
Nashua, NH

Cynthia Holden-Plummer
Lebanon, NH

Sen. Carl Johnson
Meredith, NH

Sen. Sylvia Larsen
Concord, NH

Norma Leach
Colebrook, NH

Ann Logan
Amherst, NH

Michael Maroni
Pine Haven Boys Center
Suncook, NH

Diane McCann
Division of Community Health & Public Health
Concord, NH

William McGonagle
Adult Education Center - NHSP
Concord, NH

Rep. Deborah Naro
Plymouth, NH

Albert Ouellette
Concord, NH

Theodore Prizio
Tobey School
Concord, NH

Judith Raskin
Bedford, NH

Harve Tancrede
Manchester Memorial High School
Manchester, NH

Heather Thalheimer
Parent Information Center
Concord, NH

Karen Thurston
Gilford, NH

Mary Trinkley
Concord, NH

Robert Wells
N.H. Department of Education
Concord, NH